

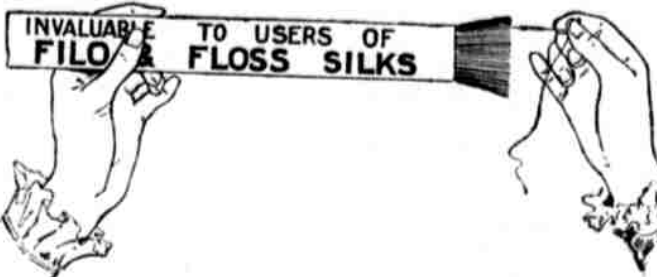
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Island Health Matters

The Board of Health met yesterday afternoon, those present being Dr. C. B. Cooper, president; Fred C. Smith, Dr. W. H. Mays, Mark P. Robinson, E. C. Winston and Attorney General Andrews, members; Dr. J. S. B. Pratt, chief health officer; C. Charlock, secretary.

The bid of John Cassidy to construct the Molokai telephone line for \$5000 was formally accepted by the Board.

The matter of proper sanitation for Lahaina was the subject of some discussion. A sewer system was needed. There should also be regulations regarding the sale of fish and the disposal of garbage. The matter was finally referred to a committee consisting of the medical members of the Board.

Dr. Cooper stated that on account of the resignation of two sanitary inspectors there were now only twelve inspectors. The appropriation for the inspectors was \$1200 per month. Dr. Cooper proposed that the number of inspectors remain at twelve instead of fourteen and that the salary of each man be raised from \$85 to \$100 a month. It was decided that a surplus of \$38 should be divided among the inspectors.

Mr. Robinson wanted to know if the members of the Board were expected to hand in their resignations in consideration of the change of administration. Dr. Cooper stated that only heads of departments were, as far as he knew, supposed to resign. Dr. Cooper had handed in his resignation two weeks ago.

The matter of the building of a new dispensary and a morgue was brought up. Dr. Cooper stated that while the bids for the construction of these two buildings were in nothing could be done in the matter before a new superintendent of the Public Works Department had been appointed.

Health in Orient.

Dr. Cooper reported the health conditions in the Orient as follows: I have to report the health conditions in the Orient as follows:

Hongkong, two weeks to October 13—Smallpox cases 1, deaths 1; plague cases 4, deaths 4.

Shanghai, two weeks to October 10—Cholera cases 0, deaths 16.

Nagasaki, to October 18—Clean.

Kobe, two weeks to October 21—Clean.

Yokohama, two weeks to October 24—Cholera cases 1, deaths 1; plague cases 3, deaths 4; doubtful plague cases 3, deaths 1.

Kobe, two weeks to October 28—Clean.

Hongkong, two weeks to October 20—Plague cases 4, deaths 4.

Nagasaki, two weeks to October 26—Cholera cases 40, deaths 22.

Remarks—18 cholera, 22 suspected. Shanghai, two weeks to October 17—Cholera cases 2, deaths 9.

Dr. Pratt's Report.

Dr. J. S. B. Pratt reported as follows:

Acting under your instructions I took charge of the sanitary inspectors after the departure of City Sanitary Officer Tracy. In this work I have been assisted by J. F. Visser. In the report given, his work and mine are given together.

Four cesspools were located.

A Chinaman was prosecuted in the District Court for peddling stale fish. He was fined \$3.00 and costs.

The number of inspections made were 1200.

Seven restaurant licenses were issued, seven lodging house licenses and two hotel licenses. The number of persons that can be lawfully lodged in the buildings are 682.

There were forty-eight burials and five disinterments. In making the burials, thirteen old graves were opened. The average depth of the graves, from which bodies were disinterred, was five feet.

The number of days special work of the inspectors was 111½.

The usual morning meeting for reports from the inspectors and the giving of instructions to them has been carried on the same as when the City Sanitary Officer was here.

A few changes have been made from the manner in which City Sanitary Officer Tracy carried on the work, but all these changes have been made with a view to increase the efficiency of the inspectors, and also to have a better control over the work which they are doing.

Milk was Drugged.

Food Commissioner Duncan reported that of ninety-seven samples of milk examined one was found drugged and nine below standard.

A sample from A. Ludloff contained a preservative, viz: boric acid. Samples found below standard were obtained from the following sources: Nagatani, Yamao, Tavares, V. Souza, Jr., Jap for G. Holt, F. Correa, Matuda, Fashion Restaurant and S. Nobri.

The last sample was made the basis of prosecution, the defendant (S. Nobri) being fined \$25.00 and costs.

At the request of private parties, two samples of milk were tested for the presence of preservatives, none being found.

Two samples condensed milk were analyzed and gave the following figures: "Carnation Brand" Evaporated cream, 25.7 total solids; 6.5 butter fat; "Owl Brand" Condensed Milk, 68.7 total solids; 1.0 butter fat.

The last sample was purchased from M. J. Boyes, Kalihi. The low fat content shows it to be prepared from skimmed milk.

One sample Apollinaris mineral water was tested (at request of private party) for presence of lithium; none found.

One sample wine (no label on bottle) on complaint of private party. No adulteration found.

Two samples of wine from a local dealer. Partial analysis show them to conform in composition to that of pure wine.

Two tins sardines examined; contents decomposed.

One tin sliced ham; can swelled and contents decomposed.

Forty-six tins (four stores) consisting of sausage, sour grout, mince meat, salmon and condensed milk found unfit for food was condemned and destroyed.

One stomach contents was tested for presence of poison. Three samples of food were examined for the Police Department.

On Plumbing Topics.

Plumbing Inspector E. G. Keen reported as follows:

For the semi-monthly period ending October 31st, 1903, I beg to report the work of this office as follows:

Number of plumbing plans filed and permits issued for same, 22.

Number of final permits issued, 17.

Number of sewer connections made, 7.

Nuisances investigated and abated, 4.

Inspection of plumbing and sewers made, 84.

Inspection of building sites and buildings in course of construction made, 25.

Total number of inspections made, 109.

Thirteen building applications were received for which I approved ten, and am holding three for further investigation.

And for the month of October, 1903, I beg to report as follows:

Number of plumbing plans filed and permits for same issued, 45.

Number of final certificates issued, 10.

Sewer connections made, 25.

Nuisances investigated and abated, 4.

Inspection of plumbing and house sewers made, 84.

Inspection of building sites and buildings in course of construction made, 25.

Total inspections made, 203.

I have received eighteen applications for buildings and have approved fifteen of them and hold three for further investigation.

I beg to report the following as the work of this office for the semi-monthly period ending November 15th, 1903.

Number of plumbing plans and permits issued for same, 37.

Number of final certificates issued, 20.

Number of sewer connections made, 4.

Number of nuisances investigated and abated, 3.

Number of inspections of plumbing and sewers made, 75.

Number of building sites inspected, 12.

Number of inspections of buildings in course of construction made, 25.

Total number of inspections made, 113.

Six building permits were received and all allowed.

ROOF GARDEN CONCERT.

The band will play the following selections at a concert to be given on the roof garden of the Alexander Young Hotel this evening, beginning at 7:30 o'clock:

PART I.

March—"Field Signals" (new)

..... Cahnbley

Ballad—"Elua Maka Uluhi" by

..... Heins

Suite—"Scenes Pittoresques"

..... Massenet

Vocal Selections:

(a) "Hoheono"

(b) "Lihi Kai Ohele"

..... Miss J. Keilana

(c) "Wai Mapuna"

(d) "Ahea Ooe"

..... Mrs. N. Alapai

PART II.

Selection—"Italian Melodies"

..... Rempezzotti

Chorus—"Tannhauser"

..... Wagner

Waltz—"Vienna Blood"

..... Strauss

March—"In High Command" (new)

..... Cahnbley

"The Star Spangled Banner."

DIED.

PETTUS—In San Francisco, Cal., November 9, 1903, Lydia Schallike-Pettus, wife of T. A. Pettus and dearly beloved and only daughter of Mrs. F. W. Schallike, a native of San Francisco, aged 27 years 3 months and 29 days.

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KEPOIKAI SAYS HE DID NOT BREAK HIS WORD

CORRESPONDENCE BETWEEN ACTING GOVERNOR AND TREASURER—ASSURES CO-OPERATION.

The following correspondence passed yesterday between Acting-Governor George R. Carter and Treasurer A. N. Kepoikai on the subject of Kepoikai's resignation. Carter having expressed the determination not to make any appointments until the Treasurer's resignation is handed in:

"Hon. A. N. Kepoikai, Treasurer of the Territory.

"Dear Sir:—As you are aware Governor Dole has taken his oath as Federal Judge, and thereby his resignation as Governor becomes effective.

"I have not yet, and do not now ask you to resign, but before I accept the responsibility as Acting Governor it is necessary for you to take some definite action. Further delay on your part will not only cripple my Administration (which is a small matter), but will seriously hamper and delay the machinery of the government in many of its departments and greatly inconvenience the public, for all of which I must decline to be responsible.

"Sincerely yours,

"GEORGE R. CARTER."

"Hon. George R. Carter, Acting Governor, Territory of Hawaii.

"Sir:—Yours of this date marked 'personal' is received, wherein you reminded me that Governor Dole, having entered upon his judicial duties, his resignation as Governor has become effective—you meaning thereby to convey the impression that you have succeeded to the Executive chair, de facto.

"You assert that you 'have not yet, and do not now ask me to resign' my office as Treasurer of the Territory—

but assure me that 'it is necessary for me to take some definite action,' presumably in reference to such resignation—before your acceptance of the responsibility as Acting Governor, of directing the policy of the government," etc., also that further delay on my part will not only cripple the Administration, but will seriously hamper and delay the machinery of the government in many of its departments and greatly inconvenience the public, for all of which you must decline to be responsible.

"Responding to the above, I do not recognize the necessity of my 'taking any definite action' in the premises, and I must respectfully dissent from the proposition that my resignation or failure to resign, my office, can in any logical or reasonable sense cripple, or delay, or hamper the machinery of the government in any of its departments," or that such action or non-action on my part would or could greatly or at all inconvenience the public; and I note your entire failure to specify any of the particulars wherein such results or any of them could reasonably be expected to follow either my adhering to or resigning my present office.

"Let me remind you that I hold my office under a definite tenure of four years from the date of my appointment—that I have been confirmed by the Hawaiian Senate, and commissioned in due form of law—under the provisions of the Organic Act.

"There is no suggestion in any of your intercourse with me, that I have been guilty of any official impropriety or incompetence. Wherefore I fail to recognize either the necessity or the propriety of renouncing my office, which is one of honor, as well as of emolument, and one which any citizen of Hawaii may take a just pride in holding; and, in the discharge of the duties thereof, I am conscious of having committed neither violations of the law, nor deviations from official discretion or courtesy.

"In view of these, and other considerations, too numerous to be here even epitomized, I am constrained to inform you that I have resolved to remain in my appointment and commission thereto.

Very respectfully yours,

"A. N. KEPOIKAI,

"Treasurer, Territory of Hawaii."

"A. N. Kepoikai, Esq., Honolulu.

"Dear Sir:—I have received your letter in response to my note of this morning, and I am exceedingly sorry that you have failed to prove a man of your word. I had every reason to expect from so prominent an Hawaiian and one who had such a high stand among your race that I could rely upon the statement, repeated twice to me, that it was your intention to withdraw and leave me free to select such heads of departments as would work with me and in whom I could repose every confidence. Such confidence is now out of the question.

"Sincerely yours,

"GEORGE R. CARTER."

Territory of Hawaii,

Treasurer's Office,

Honolulu, November 18, 1903.

Hon. George R. Carter, Acting Governor of the Territory, Honolulu.

Sir:—Your second letter of this date is before me, wherein, in responding to my letter of declaration to resign the office of Treasurer of the Territory, you intimate that I have broken faith with you, and have broken my positive promise to you, in so declining to resign.

You are entirely in error in your statement that I at any time—much less on two occasions—made the state-

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ment to you "that it was my intention to withdraw and leave you free to select such heads of Departments as would work with you, and in whom you could repose every confidence."

Let me recall to your memory just what occurred upon the only occasion when the topic of resignations was discussed between us. I was then the first to inform you that Mr. Cooper had resigned his office as Superintendent of Public Works, and I stated to you that Mr. Cooper had remarked to me that his reason for so resigning was to "give you a free hand." Upon asking you what was meant by that phrase, you remarked that you expected the resignations of all the heads of Departments. I replied to that suggestion as follows: "Well, if such is the practice, my resignation will be ready at the proper time."

Immediately thereafter I spoke with Governor Dole on the subject, who assured me that I was under no obligation to resign, as my official tenure was fixed by law, and he did not know what was the practice usually pursued in regard to resignations under such circumstances.

Upon further inquiry and study on my part, I am convinced that it has never been, and is not now, the practice in the United States for officials who hold their offices by a definite legal tenure, to resign those offices upon a change in the personnel of their superiors, or even of the Chief Executive of the Union, or of State.

Let me cite a few instances in support of this contention. When President Johnson undertook to oust Mr. Stanton from the position of Secretary of War, in 1867, his act was alleged as a basis of his impeachment, which soon followed.

In 1887, when Governor Washington Bartlett, of California, died, and was succeeded by Lt. Gov. Markham, there was no suggestion of resignations from any of the appointees of Governor Bartlett, other than his personal staff. And such has been and is the current of practice and precedent in America, in such cases.

I respectfully invite you to cite a single case wherein an executive State or Territorial officer has resigned the office held by him, to which he was appointed for a fixed period, and from which he could not be removed save with the concurrent action of the Chief Executive and some co-ordinate authority, upon the mere request of the successor of the official by whom he was appointed.</